

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:09-CR-186

v.

Hon.

JOSE A. SANDOVAL,

Defendant.

_____/

In Re: Material Witness Rocio Hernandez-Garcia,
a/k/a Harlenne Perez-Trujillo

_____/

DETENTION ORDER FOR MATERIAL WITNESS

Rocio Hernandez-Garcia having been arrested as a material witness in the above-caption matter and having appeared before the court and having waived her right to a detention hearing with counsel present,

IT IS HEREBY ORDERED that Rocio Hernandez-Garcia is detained as a material witness until such time as she can be deposed or otherwise testify in regard to the captioned matter. The material witness may be discharged after she has completed her testimony at trial or has signed under oath the deposition transcript.

IT IS FURTHER ORDERED that United States Attorney is directed to make not less than bi-weekly reports to the court listing each material witness held in custody for more than ten days pending trial, and state therein why such witnesses should not be released with or without a deposition being taken under Rule 15(a), F.R.Cr.P. See Rules 46(H)(1) and (2).

IT IS FURTHER ORDERED that the material witness is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons serving sentences or being held in custody pending appeal. The material witness shall be afforded a reasonable opportunity for private consultation with her defense counsel. On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility shall deliver the material witness to the United States marshal for the purpose of an appearance in connection with a court proceeding.

Dated: July 9, 2009

/s/ Hugh W. Brenneman, Jr.
HUGH W. BRENNEMAN, JR.
United States Magistrate Judge